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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/908,081	07/18/2001	Ramanamurthy Dantu	062891.0570	4452
7590		03/29/2005	EXAMINER	
Terry J. Stalford		BHANDARI, PUNEET		
Baker Botts LLP		ART UNIT		
Suite 600		PAPER NUMBER		
2001 Ross Avenue		2666		
Dallas, TX 75201		DATE MAILED: 03/29/2005		

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 09/908,081	Applicant(s) DANTU ET AL.	
	Examiner Puneet Bhandari	Art Unit 2666	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) 10-21 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 18 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7/01, 7/03, 2/05</u> . | 6) <input type="checkbox"/> Other: _____ |

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I. Claims 1-9, drawn to channel assignment, classified in class 370, subclass 341.
 - II. Claims 10-21, drawn to hand-off control, classified in class 370, subclass 331.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions I and II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as wireless-specific handoff messaging. See MPEP § 806.05(d).
3. Because these inventions are distinct for the reasons given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated is proper.
4. During a telephone conversation with Thomas Frame (Reg. No. 47232) on 03/11/2005 a provisional election was made without traverse to prosecute the invention of group I, claims 1-9. Affirmation of this election must be made by applicant in replying to this Office action. Claims 10-21 are withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention. It is requested that applicant cancel claims 10-21 in response to this Office Action.
5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one

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or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims **1,3,4,6,7,9** are rejected under 35 U.S.C. 102(e) as being anticipated by Vo et al (US 6,795,444).

Regarding claim **1**, Fig. 13 A-C anticipates “*a method of handling for a wireless access network*” also disclosed in column 27, lines 17-20; comprising:

Receiving at a call agent of a wireless access network a call origination for a mobile device is anticipated by “*GMSC sends LOCREQ_Invoke to HLR*” as disclosed in column 27, lines 21-23 or Fig 13 A. block 1710;

Determining whether the mobile device is registered on the wireless access network is anticipated by “*RROIP flag is introduced in HLR*” disclosed in column 27, lines 10-15 and lines 41-45.

If the mobile device is not registered is anticipated by “*determining the status of RROIP*” as disclosed in column 27, lines 41-47; determining at the mobility control

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function whether the mobile device is active is anticipated by *"when a incoming call destined for the mobile is received in the GMSC"* as disclosed in column 27, lines 20-23 or Fig 13 A. block 1708;

If the mobile device is active, connecting the call to the mobile device with a call agent based on a temporary line directory number (TDLN) assigned by the MCF is anticipated by *"TDLN may be used in a convectional manner to route the calls"* disclosed in column 27, lines 43-46 or interaction between blocks 1728,1730 and 1712 in Fig. 13 B; and Fig. 13 B set 1724 anticipates *"TDLN passed to the call agent in an extended session initiation protocol message"*.

Regarding claim 3, the method of claim 1 further comprising:

If the mobile device is registered is anticipated by *"RROIP flag turned on"* disclosed in column 27, lines 11-15 and lines 41-43, retrieving the profile information for the mobile device at the call agent is anticipated by *"results contains TDLN and media gateway addresses"* disclosed in column 27, lines 46-65; and

Routing the call to the mobile device in the wireless access network through the MCF using SIP message is anticipated by *"voice call path is setup between the gateway over IP network "* disclosed in column 28, lines 25-27 or is anticipated by *"on the PSN (packet switched network) side MGW handles VoIP call interface eg. an H.323 or SIP"* disclosed in column 13, lines 47-52.

Regarding claim 4, Fig. 13 A-C anticipates *"a system of call handling for a wireless access network"* also disclosed in column 27, lines 17-20; comprising:

Means for receiving at a call agent of a wireless access network a call origination for a mobile device is anticipated by *"GMSC sends LOCREQ_Invoke to HLR"* as disclosed in column 27, lines 21-23 or Fig 13 A. block 1710;

Means for determining whether the mobile device is registered on the wireless access network is anticipated by *"RROIP flag is introduced in HLR"* disclosed in column 27, lines 10-15 and lines 41-45.

Means for if the mobile device is not registered is anticipated by *"determining the status of RROIP"* as disclosed in column 27, lines 41-47; determining at the mobility control function whether the mobile device is active is anticipated by *"when a incoming call destined for the mobile is received in the GMSC"* as disclosed in column 27, lines 20-23 or Fig 13 A. block 1708;

Means for if the mobile device is active, connecting the call to the mobile device with a call agent based on a temporary line directory number (TDLN) assigned by the MCF is anticipated by *"TDLN may be used in a convectional manner to route the calls"* disclosed in column 27, lines 43-46 or interaction between blocks 1728, 1730 and 1712 in Fig. 13 B; and Fig. 13 B block 1724 anticipates *"TDLN passed to the call agent in an extended session initiation protocol message"*.

Regarding claim 6, the method of claim 4 further comprising:

Means for if the mobile device is registered is anticipated by *"RROIP flag turned on"* disclosed in column 27, lines 11-15 and lines 41-43, retrieving the profile information for the mobile device at the call agent is anticipated by *"results contains TDLN and media gateway addresses"* disclosed in column 27, lines 46-65; and

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Means for routing the call to the mobile device in the wireless access network through the MCF using SIP message is anticipated by *"voice call path is setup between the gateway over IP network"* disclosed in column 28, lines 25-27 or is anticipated by *"on the PSN (packet switched network) side MGW handles VoIP call interface eg. an H.323 or SIP"* disclosed in column 13, lines 47-52.

Regarding claim 7, Fig. 13 A-C anticipates *"a system for handling for a wireless access network"* also disclosed in column 27, lines 17-20; comprising:

The logic encoded in media is anticipated by *"method of routing roaming calls over IP network"* disclosed in column 27, lines 17-20. Logic operable to receiving at a call agent of a wireless access network a call origination for a mobile device is anticipated by *"GMSC sends LOCREQ_Invoke to HLR"* as disclosed in column 27, lines 21-23 or Fig 13 A. block 1710;

To determine whether the mobile device is registered on the wireless access network is anticipated by *"RROIP flag is introduced in HLR"* disclosed in column 27, lines 10-15 and lines 41-45. If the mobile device is not registered is anticipated by *"determining the status of RROIP"* as disclosed in column 27, lines 41-47; determining at the mobility control function whether the mobile device is active is anticipated by *"when a incoming call destined for the mobile is received in the GMSC"* as disclosed in column 27, lines 20-23 or Fig 13 A. block 1708;

If the mobile device is active, connecting the call to the mobile device with a call agent based on a temporary line directory number (TDLN) assigned by the MCF is anticipated by *"TDLN may be used in a convectional manner to route the calls"*

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disclosed in column 27, lines 43-46 or interaction between blocks 1728, 1730 and 1712 in Fig. 13 B; and Fig. 13 B set 1724 anticipates *"TDLN passed to the call agent in an extended session initiation protocol message"*.

Regarding claim 9, the method of claim 7 further comprising:

If the mobile device is registered is anticipated by *"RROIP flag turned on"* disclosed in column 27, lines 11-15 and lines 41-43, retrieving the profile information for the mobile device at the call agent is anticipated by *"results contains TDLN and media gateway addresses"* disclosed in column 27, lines 46-65; and to route the call to the mobile device in the wireless access network through the MCF using SIP message is anticipated by *"voice call path is setup between the gateway over IP network "* disclosed in column 28, lines 25-27 or is anticipated by *"on the PSN (packet switched network) side MGW handles VoIP call interface eg. an H.323 or SIP"* disclosed in column 13, lines 47-52.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2, 5 & 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vo et al (US 6,795,444) in view of Hartmaier (US 2002/0080751). Vo et al (US 6,795,444) teaches all the limitation of claims 2, 5 & 8 (see 102 rejection for claims 1, 4 & 7 respectively) except Vo et al (US 6,795,444) does not expressly disclose when the


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mobile device is not active, connecting the call to a voice mail server identified by profile information for the mobile device. Hartmaier (US 2002/0080751) teaches if the mobile device is not active forwarding the message to the voice mail server of the associated mobile (see paragraph 0032 lines 1-14). At the time the invention was made it would have been obvious to a person in ordinary skill in art to add voicemail functionality of Hartmaier (US 2002/0080751) to the mobile device of Vo et al. (US 6,795,444). One in ordinary skill in art would have been motivated to do this to route the call to the final destination (see Fig 4 of Hartmaier (US 2002/0080751).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Puneet Bhandari whose telephone number is 571-272-2057. The examiner can normally be reached on 9.00 AM To 5.30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).




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